

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
STOREY CONSTRUCTION INC.,

Plaintiff,

08 Civ. 00976 (GBD)

-against-

**NOTICE OF VOLUNTARY
DISMISSAL**

M&I MARBLE WORKS LTD., d/b/a
MARBLE SOLUTIONS,

Defendant.

-----X

PLEASE TAKE NOTICE, that the above-entitled action is hereby dismissed
without prejudice, pursuant to Rule 41 (a) (1) (A) (i) of the Federal Rules of Civil Procedure.

Dated: Westchester, New York
May 8, 2008

Respectfully Submitted,

McDonough Marcus Cohn Tretter
Heller & Kanca, LLP

By: 
Diane K. Kanca (DK7196)

Attorneys for Plaintiff
Storey Construction Co. Inc.
145 Huguenot Street
New Rochelle, New York 10801
(914) 632-4700
Fax (914) 632-3329
DianeKanca@aol.com

To:

Michael J. Siris
Solomon & Siris, PC
50 Charles Lindbergh Blvd.
Suite 505A
Uniondale, NY 11553
(515) 228-9350
Fax (515) 228-4305

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)ss.:

PILAR ORTIZ, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in Bronx, New York That on the 8th day of May 2008, deponent served the within **NOTICE OF VOLUNTARY DISMISSAL** via First Class Mail upon:

Michael J. Siris
Solomon & Siris, PC
50 Charles Lindbergh Blvd.
Suite 505A
Uniondale, NY 11553
(515) 228-9350

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper in an official depository box under the exclusive care and custody of the United States Post Office Department within the State of New York.


PILAR ORTIZ

Sworn to before me this
8th day of May 2008



Notary Public

JEFFREY S. PESKE
Notary Public, State of New York
No. 02PE6104075
Qualified in Westchester County
Commission Expires Jan. 12, 2011

AFFIDAVIT OF SERVICE BY ECF

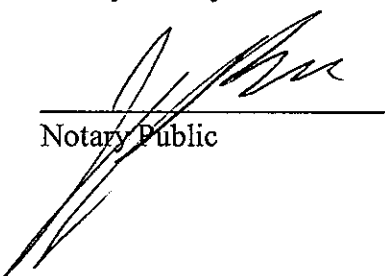
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PILAR ORTIZ

Sworn to before me this
8th day of May 2008



Notary Public

JEFFREY S. PESKE
Notary Public, State of New York
No. 02PE6104075
Qualified in Westchester County
Commission Expires Jan. 12, 2012